

Amendments to the Claims

The following listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently amended) A surgical instrument for manipulating a needle and suture comprising:

an elongate member having a distal end configured to manipulate a needle and suture;

a scale on at least a part of the elongate member and extending from the distal end, the scale having at least one graduation configured and dimensioned to measure a distance between an end of the suture and the needle; and

a predetermined point on the elongate member, wherein the scale indicates the distance from the predetermined point to the at least one graduation.

2. (Original) The surgical instrument as recited in claim 1, wherein the elongate member includes at least one jaw and the predetermined point is disposed on the jaw.

3. (Original) The surgical instrument as recited in claim 2, wherein the at least one jaw has a recess configured to retain a needle carrying a suture and the predetermined point is located on the needle.

4. (Original) The surgical instrument as recited in claim 2, wherein the at least one jaw

has a recess configured to retain a needle carrying a suture and the predetermined point is located at a point of connection between the suture and the needle.

5. (Original) The surgical instrument as recited in claim 4, wherein the point of connection is at one end of the needle.

6. (Original) The surgical instrument as recited in claim 4, wherein the point of connection is located between the ends of the needle.

7. (Original) The surgical instrument as recited in claim 2, wherein the at least one jaw is movable relative to the elongate member, wherein the distance from the predetermined point and the scale is calibrated with the at least one movable jaw in a predetermined position.

8. (Original) The surgical instrument as recited in claim 7, wherein the elongate member includes two movable jaws.

9. (Original) The surgical instrument as recited in claim 8, wherein the two movable jaws are configured to pass a needle carrying a suture therebetween.

10. (Original) The surgical instrument as recited in claim 1, wherein the scale includes a plurality of graduations.

11. (Original) The surgical instrument as recited in claim 1, wherein the scale is provided

on a material affixed to the elongate member.

12. (Original) The surgical instrument as recited in claim 11, wherein the scale is located on shrink wrap affixed to the elongate member.

13. (Original) The surgical instrument as recited in claim 11, wherein the scale is located on at least one longitudinally extending strip of material.

14. (Currently Amended) The surgical instrument as recited in ~~claim 11~~ claim 1, wherein the scale is etched into the elongate member.

15. (Original) The surgical instrument as recited in claim 1, wherein the at least one graduation indicates the distance in centimeters.

16. (Original) The surgical instrument as recited in claim 1, wherein the at least one jaw is configured for grasping a needle carrying a suture.

17. (Withdrawn) A kit to assist manipulation of a suture with an elongate instrument comprising:

a scale configured to be attached to the distal end of a suture manipulating instrument;

and

a template to calibrate the position of the scale relative to a predetermined point on the distal end of the instrument.

18. (Withdrawn) The kit as recited in claim 17, wherein the scale is provided on a shrink wrap material.

19. (Withdrawn) A method of manipulating a suture comprising:
providing an elongate suture manipulating instrument configured to hold a first end of a suture at a predetermined point on a distal end of the instrument and a scale having at least one graduation provided on the instrument at a location remote from the distal end;
grasping a second end of the suture with a separate device; and
drawing the suture along the instrument adjacent the scale so that a second end of the suture is adjacent the at least one graduation on the scale to measure the length of suture.

20. (Withdrawn) The method as recited in claim 19, wherein the step of drawing is performed while the suture is being passed through tissue.

21. (Withdrawn) The method as recited in claim 19, wherein the step of drawing is performed after the suture is passed through tissue.

22. (Currently amended) In a surgical suturing apparatus including an elongate member having a proximal end and a distal end and a longitudinal axis; a pair of jaws at the distal end, at least one of the pair of jaws being movable, the pair of jaws each having a recess for receiving a suture carrying needle; needle retaining structure in each jaw of the pair of jaws, the needle retaining structure extending from the respective jaw toward the proximal end; and a handle at

the proximal end including structure for alternately advancing and retracting the needle retaining structure the improvement comprising;

a scale defined on the elongate member, the scale extending along the longitudinal axis of the elongate member and having graduations ~~for measuring~~ configured and dimensioned to measure a distance between an end of the suture and the needle ~~the length of the suture.~~